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**Check against delivery!**

Excellencies,  
Ladies and Gentlemen,

I thank you for this opportunity to report to the Permanent Council on the OSCE's Tenth Human Dimension Implementation Meeting. This meeting provides a unique opportunity for the exchange of ideas, and good practices, as well as of concerns and common solutions, among government representatives, international organizations and civil society. The uniqueness of this meeting – and I wish to highlight this at the outset of my report – lies first of all in its special character as a review of the implementation of OSCE commitments, but particularly also in the fact that civil society representatives participate on an equal footing with government representatives.

This form of dialogue, based on common commitments, is documenting the openness with which the implementation of commitments can and should be discussed. This year's record participation of NGOs, of which we were able to register 433 representatives, is strong evidence of the importance attached by civil society at large to this opportunity for dialogue. Their active participation enriches the debate and makes exchanges more relevant and concrete. We were particularly pleased with the participation of a number of domestic non-partisan election observer groups from throughout the region, to hear about their achievements and challenges, and also their views on the respective approaches to international election observation as undertaken by different intergovernmental organisations.

I welcome that the Report of the Panel of Eminent Persons has called for further strengthening the relationship with the NGO community; I hope that the positive experience of the HDIM in this respect can contribute to the ongoing discussions on reforming and strengthening our Organization.

It is fitting that the opening keynote speech at this year's HDIM was delivered by Liudmila Alexeeva, co-founder of the Moscow Helsinki Group, and an activist from day one of the Helsinki movement whose thirtieth anniversary we celebrate this year. Her remarks showed not only how much progress has been achieved since the Final Act was signed but also the important role played in this process by civil society, often under very difficult circumstances.

For a meaningful dialogue, active engagement by participating States is crucial and I am happy to report that almost all participating States were represented at the meeting. Many participants voiced their satisfaction at being able to engage in dialogue also with Turkmenistan again after several years. I am grateful to those of you who attended yourselves and in particular those who were able to send larger delegations, including experts from capitals who are so necessary for a focused debate.

33 representatives of 12 International Organizations were present, often making valuable contributions on the work done by their Organizations in the Human Dimension field and thus facilitating a coordinated approach of international actors. The presence of staff from

other OSCE institutions and all OSCE field missions was also of great value for the discussions.

We are proud to report on another sign of the vitality of the meeting, the record number of side-events, 60 in total. These provide ideal opportunities for governments to present best practices, for NGOs to brief on their activities, or just for more in-depth and focused discussions on individual topics.

### **Review of the state of human rights and democracy in our region**

Following the Permanent Council's decision to modify the structure of the HDIM, the "review" sessions, traditionally set in the first week, were clustered thematically around the special topics chosen for this year. This structure allowed for a more focused discussion and should be continued and expanded further.

Overall, we collected 95 pages of recommendations which generally appear focused, realistic, and suitable for implementation. They should be helpful in the further discussions preparing for the Ministerial Council meeting in Ljubljana.

As every year, we have compiled all the recommendations into a single document which has been distributed to your pigeon-holes on CD ROMs. Moreover, during the two weeks of the Meeting, we have been uploading all documents into the Secretariat's new "DocIn" system. As soon as the DocIn will be fully integrated with the Delegates' Website, all these documents will be also easily accessible there.

As I cannot possibly reflect in full detail the discussions or even the recommendations, which you can find in the Consolidated Summary, allow me to highlight some key recommendations that I regard as particularly relevant for follow-up in the coming year.

- **Democratic Institutions**

Democratic institution building is increasingly recognized as an overall and broader orientation for the activities in the human dimension, and contributing also to the other two dimensions. It encompasses measures to ensure strong democratic institutions, democratic culture, and vibrant discourse within societies, making full use of participatory elements including the work of non-governmental organizations.

Election observation is seen in this context as a crucial tool to evaluate progress in the democratic process and to identify areas for enhanced cooperation. Participants acknowledged the importance of election observation in helping States further develop sustainable electoral systems and practices in line with OSCE commitments. States were urged to respond constructively to, and follow-up systematically on, recommendations in ODIHR election observation reports, which should also be subject to a general discussion among the 55 participating States. Participants called for mechanisms to allow for such discussions on follow-up.

The discussions also provided an opportunity for a meaningful and open exchange of views on election related issues following the recommendations discussed at the April 2005 SHDM on “Challenges of Election Technologies and Procedures”.

In this context the validity of the OSCE commitments in the field of democratic elections were reconfirmed, while support was voiced for ongoing efforts to develop additional, supplementary commitments, responding to ongoing and new challenges - the so-called “Copenhagen Plus” ideas. I am pleased that I had the opportunity to brief you yesterday on the findings of an expert meeting which we convened in Warsaw on precisely this topic. We also gave you additional information relating to our work on the follow-up to this year’s SHDM. The setting allowed for a more in-depth presentation and discussion, so I will not repeat myself here.

I will limit myself now to thanking the many participants who acknowledged the ODIHR’s expertise in assisting participating States in the implementation of international election commitments and best practices, and to reiterating my call for support of the OSCE participating States, including through the Fund for Participation of Election Experts from Developing Democracies (Diversification Fund) in OSCE/ODIHR Election Observation Missions.

- **Migration and Integration**

Following a number of events this year on topics related to migration and integration, the related session provided a good opportunity to summarize these discussions. Participants encouraged States to implement mechanisms and policies in order to ensure assistance and protection of all displaced persons. Calls were made to facilitate co-operation between state authorities, trade unions, employers and non-governmental organizations when dealing with problems of migrant workers. A numbers of States highlighted good practices in interstate dialogue between sending and receiving countries.

- **Freedom of Assembly and Association**

One of the firmest cornerstones of the human dimension in the OSCE is the commitment to honor the freedom of assembly and association. It remains of vital importance that participating States do not view associations, civic groups or human rights NGOs as political opposition but recognize the crucial contribution of human rights defenders and civil society to the development of democratic societies. Any limitations of the right of assembly and association must comply with strict requirements, including those of necessity and proportionality.

We heard of a number of good practices in tackling threats of terrorism and extremism without unnecessarily restricting freedom of assembly and association and without obstructing legitimate dissent. Participants highlighted the role of human rights defenders in the promotion of freedom of assembly and association and the need for constructive dialogue between the governments and active members of civil society.

- **Freedom of the media**

This year, one special day was devoted to discussing the situation of the media in the OSCE region; I am sure my colleague Miklos Haraszti can give a more exhaustive and certainly more authoritative report on the discussions. Participants stressed the need to decriminalize libel, which is often used as a means to harass journalists. The importance of the freedom of the media in the context of the fight against terrorism was also highlighted. Several States highlighted good practices in adopting new legislation on defamation.

- **Prevention of torture**

The second special day at the HDIM was dedicated to discussions on the prevention of torture. As in past meetings, in fact as at every HDIM, participants this year again had to concede that torture continues to be a problem throughout the OSCE region despite rigorous domestic legislation and international law outlawing it unconditionally and in unambiguous terms.

Discussions focused on very concrete and practical steps which can be taken in combating torture and ill-treatment. The close link between deficiencies in the criminal justice system and use of torture was examined. In this context, a number of best practices on criminal justice reforms and torture prevention mechanisms were highlighted. States were encouraged to make full use of international instruments in this context. It was stressed that the fight against terrorism does not provide grounds for derogation from the prohibition of torture. The absolute nature of the principle of non-refoulement was highlighted by a large number of participants while the reliance upon diplomatic assurances in such situations was put into question.

- **Rule of law**

One of the most important safeguards in the fight against torture is strict adherence to the rule of law. In this context, participants highlighted the importance of the independence of the judiciary. The meeting again allowed for an exchange of good practices among participating States on measures that strengthen this independence and combat judicial corruption which still persists in a number of States.

Participants stressed the importance of guaranteeing fair trials and the need to strengthening the quality and capabilities of defense lawyers. I look forward to continuing these discussions in depth at the Supplementary Human Dimension Meeting in Tbilisi on 3-4 November. Too often is the importance of these crucial actors in ensuring a fair trial overlooked. A society that truly respects human rights and freedoms is recognizable when it is a society where lawyers can freely and without obstruction represent those who are accused of a crime to assure that their rights are fully respected. Clearly it is these cases which challenge how strongly fundamental human rights protections are guaranteed. I am happy to report that some 200 participants have already registered for this SHDM.

- **Human Rights in the Fight Against Terrorism**

Participants stressed that any measures against terrorism must be based on the rule of law and respect for international human rights law. The important role of civil society in the

promotion and protection of human rights, democratic values and the rule of law was highlighted in this context.

The issue of non-refoulement and the problem of diplomatic assurances were also discussed in the context of the follow up the SHDM on Human Rights in the Fight Against Terrorism and the importance of the protection of religious freedom in the context of counter-terrorism was stressed.

- **Capital punishment**

The HDIM again allowed participating States an opportunity to exchange information on the status of the death penalty. I have brought with me further copies of our publication outlining the current status in our region and the developments since the 2004 HDIM.

Calls were made to abolish entirely the death penalty for persons who were under the age of 18 at the time the crime was committed and for those who are mentally ill, and should continue an open dialogue about the possibility of implementing a moratorium or entirely abolishing capital punishment. Participants reaffirmed the commitments to keep the question of capital punishment under consideration and to make available to the public information regarding the use of the death penalty.

- **Trafficking in human beings**

During the session on fighting trafficking in human beings it was acknowledged that this problem of modern slavery still persists, despite strong international efforts including by the OSCE. The meeting offered States a chance to present the state of implementation of the Action Plan and discuss further steps with the Special Representative and the ODIHR.

Many participants noted the importance of National Referral Mechanisms for effectively identifying and assisting victims of trafficking. The ODIHR remains ready to assist participating States in introducing such mechanisms to ensure that the Human Rights of the victims of trafficking are best protected.

We look forward to taking the results of our sessions to the upcoming meeting of the “Alliance against trafficking” under the aegis of the OSCE Special Representative. This and similar meetings facilitate cooperation among all relevant actors that combines efforts and avoids duplication. We at ODIHR will continue our focus on helping States protect the rights of victims.

- **International Humanitarian Law**

The importance of the implementation of humanitarian law by participating States, especially as concerns the protection of civilians and the respect for fundamental non-derogable rights, was again highlighted in the relevant session. In particular, the participating States’ cooperation with international tribunals in an effort to prosecute war crimes was underlined. In addition to highlighting the requirement for co-operation with the ICTY, the continued need of enhanced inter-state co-operation in domestic war crime procedures was mentioned.

In dealing with war crimes and the legacies of the post-conflict societies, the role of civil society organizations is crucial. Participants therefore pointed out that civil society organizations should be recognized as valuable partners including when working on issues such as legal and judicial cooperation among governments on issues related to humanitarian law. There was also a suggestion to expand the focus of this session to also include transitional justice.

- **Gender equality**

Equality between men and women is another fundamental element of participatory democracy and plays an integral role in securing stability and democracy. It should remain a priority as implementation of the revised Action Plan on the Promotion of Gender Equality progresses. Participants shared good practices in increasing women's participation in democratic processes. In addition, measures for combating different forms of gender-based violence, in particular sexual violence and domestic violence were discussed.

Participants from missions and institutions shared experiences in ensuring a systematic and consistent integration of a gender perspective in OSCE activities, policies and decisions. In follow-up to an earlier event on UN SCR 1325, emphasis was placed on gender aspects of conflict prevention, crisis management, including the participation of women in these processes.

- **National minorities**

The High Commissioner on National Minorities continues to address minority situations in the context of security and conflict prevention. And I am sure he will also be speaking to you on the discussions we had on this issue in more depth. Participants exchanged experiences in developing integration policies of national minorities.

- **Roma and Sinti**

Possible guidelines for better implementation of the OSCE Action Plan on Improving the Situation of Roma and Sinti were discussed. Specific examples of actions taken by participating States to redress reported incidents of racism and discrimination against Roma and Sinti were highlighted. The importance of developing partnerships between local authorities and Roma and Sinti associations (parties) and local groups was underscored. Particular interest was shown in the situation of Roma in Kosovo and the need to keep this in mind in future discussions on readjusting international involvement there.

While implementation is now underway, participating States have yet to take full advantage of the OSCE Roma and Sinti Action Plan. Governments were called upon to make full advantage of the Plan's provisions. The political participation and economic and social rights of Roma at local, national and international level still require particular attention. Education of Roma children and youth should be a long-term priority, and special attention should continue to be paid to the situation of Roma women.

As mandated, the ODIHR will report to the Permanent Council on the implementation of relevant provisions, and I hope to find an occasion for a more detailed discussion on this before the end of the year. In this regard, I would like to draw your attention to two more Conferences this year devoted to particular parts of the Action Plan, one in Warsaw starting today and one in Belgrade in late November.

- **Tolerance and non-discrimination**

The third special day was dedicated to discussions on tolerance and non-discrimination. It was an opportunity to discuss not only the accumulated outcome of previous Conferences in Vienna, Berlin, Paris, Brussels and most recently in Cordoba, but also the concrete implementation of commitments in this field. Forward-looking discussions focused on two new themes including the use of racist, anti-Semitic and xenophobic discourse by political leaders and strategies for governments and specialised bodies to address multiple and cross-dimensional forms of intolerance. Participants welcomed the activities of the ODIHR's new programme on Tolerance and Non-Discrimination, in particular in combating hate crime and providing best practices in education on the Holocaust and on anti-Semitism, but pointed out that the main actors in implementation of OSCE commitments are participating States themselves. The need for the OSCE to adopt a multidimensional and cross-cutting approach in addressing tolerance and non-discrimination issues was highlighted and stressed by many participants.

The discussions were an opportunity for NGOs to network not only with the representatives of States but also with the Personal Representatives of the Chairman in Office. I am glad that, together with Ambassador Orhun, we were able to make a conscious effort to include NGOs active in combating intolerance against Muslims in the HDIM and to inform them of the activities of the OSCE in this field. This follows similar encounters of the two other Personal Representatives and civil society.

Our work in this area should also include the issues of freedom of religion or belief, the situation of migrants, refugees, asylum seekers and the internally displaced, as well as issues of discrimination faced by the Roma and Sinti. States were called on to make more systematic use of the ODIHR's Advisory Panel on Freedom of Religion or Belief.

Participants also called for renewed and strengthened efforts, also in the OSCE framework to promote and facilitate interfaith and intercultural dialogue, particularly in the context of the fight against terrorism.

- **Human dimension activities and OSCE field work**

I have mentioned on previous occasions that Human Dimension activities are of course much more than the sum of projects conducted by OSCE field operations and Institutions. In fact all measures taken by governmental and non-governmental actors in the Human Dimension are relevant to the discussions of improving the effectiveness of action in this field. The "activities" day was again a useful occasion to gather our partners from the field, to compare notes on planning and look at where the specific strengths and advantages of the OSCE as an organization lie and what mechanisms the OSCE could use to make the best use of its existing institutional knowledge.



OSCE field missions remain crucial partners for us in implementing activities in the field, as well as in arranging assessment and observation missions. In turn, the ODIHR is able to provide field operations with substantive guidance in the fields of human rights, elections, democratization and tolerance and non-discrimination.

### **The way ahead**

This year's anniversary HDIM, it is safe to say, fulfilled the high expectations placed into it, as not only the strong participation demonstrated, but also the quality of the discussions and of the broad range of recommendations. It underlined the continuing responsibility to implement the OSCE commitments. These have been issued by my Office in an updated publication available here for you all. This responsibility, in the human dimension, is essentially a responsibility to protect, protect the fundamental rights and freedoms of the more than one billion men women and children in the OSCE region.

And as it befits a report about a tenth Meeting, and as we take a look back at all these meetings, and their implementation review, we can identify some trends, of which I would like to mention two: We have seen considerable progress in the implementation of OSCE commitments, but this progress is uneven; furthermore, participants have been able to identify, over the years, also a number of remaining and new challenges, and evaluate the responses given to them. In other words, we have to continue our efforts, individually and collectively, and we all have to make full use of all the tools and instruments of the OSCE in this regard, without fearing to be "singled out", or remaining anxious about a formal notion of "balance" – what counts, is real, effective and sustained implementation.

As every meeting, the HDIM is of course only as good as the follow-up it generates. I have said this many times, but it is always important to remember that meetings and conferences are not ends in themselves, but are only helpful if they sharpen our tools and generate political impetus to further improve the implementation of commitments.

I have of course only been able to give you a short glimpse of the many fruitful discussions we had in the course of two weeks. You will by now have received a more comprehensive report and compilation of recommendations from the Meeting. I now look to you to take these recommendations forward and turn them into action.

The ODIHR of course stands ready to provide support and assistance, as much as we are able to, and help you find support in other places whenever we can. We will also continue to work closely with other parts of the Organization, in particular the Institutions, the Secretariat and the field missions.

Ladies and Gentlemen,

As every autumn, these are days of intensive work for you and us alike. In the run-up to the Ministerial Meeting in Ljubljana, I hope that the ideas coming out of the HDIM

provide useful input for the ongoing preparations. We at the ODIHR are preparing plans and budgets for next year's activities in order to take these recommendations and the ensuing decisions into the field. I also look forward to the upcoming Supplementary Meeting on Defense Lawyers in Tbilisi in November. Let me thank our Georgian hosts in advance for the work and effort they are putting into the organization of this important event. I hope that this will provide a positive example for holding Supplementary Human Dimension Meetings outside of the Hofburg more often in the future.

We have also started working with the incoming Belgian Chairmanship and delegations to develop the best framework for human dimension priorities in the coming year and to ensure that next year's Human Dimension Meetings will again be a success.

Finally, let me at this point extend my most heartfelt thanks to the Delegation of the Chairmanship, in particular to Ambassador Janez Lenarcic and to Simona Drenik for the great support they have provided in the preparations for and the conduct of this HDIM. I look forward to now taking the outcome of the meeting forward into the next year. For this I count on you, Ambassador Lenarcic, as well as on the incoming Belgian Chairmanship and all participating States so that we can convert the results of our deliberations into concrete action.

Thank you.